

Appl. No. 10/728,102
Amdt. dated December 28, 2005
Reply to Office Action of June 28, 2005

Atty. Ref. 88518.0001
Customer No. 26021

Amendments to the Drawings

The attached sheet of drawings includes changes to Fig. 1. This sheet replaces the original sheet including Fig. 1. In Fig. 1, reference character 18 has been deleted.

Attachments: Replacement Sheet
 Annotated Sheet Showing Changes

Remarks/Arguments

Reconsideration of this application is requested.

Drawings

The drawings are objected to under 37 CFR 1.84(p)(5) as including the reference character 18 (Figure 1) which is not mentioned in the specification. In response, Figure 1 is amended to delete reference character 18.

Specification

The abstract is objected to under MPEP 608.01(b) as exceeding 150 words and including legal phraseology such as "comprising". In response, the abstract is amended to be less than 150 words and to eliminate all legal phraseology.

The Action also objects to the disclosure and suggests that at page 7, line 22, "24" should be "23", and that at page 10, line 4, "23" should be "23e". In response, the specification is amended to make the suggested changes.

Claim Status

Claims 1-7 are pending. Since no claims are amended, added or canceled, no listing of claims is required under 37 CFR 1.121.

Claim Rejections

Claims 1-5 and 7 are rejected under 35 USC 102(a) as anticipated by Suzuki (JP 2003-316106). Claim 6 is rejected under 35 USC 103(a) as obvious over Suzuki in view of Takano (US 5,095,331).

Suzuki has a publication date of November 6, 2003. A Declaration of the inventor Keiichi Taguchi under 37 CFR 1.131 is enclosed stating that the invention claimed in this application was described in his Japanese patent application no. 2001-157124, filed in Japan on May 25, 2001, which is a date earlier than the publication date of Suzuki. A copy of Japanese patent application no. 2001-157124, and a verified English translation thereof, accompany the Declaration.

Since applicant has established an invention date that is earlier than the effective date of Suzuki, Suzuki is not available as a reference against the claims of

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this application. Accordingly, the rejections of claims 1-7, which all rely on Suzuki, should be withdrawn.

Conclusion

There being no further grounds for rejection, this application is now in condition for allowance. The Examiner is invited to telephone the undersigned to resolve any issues that remain after entry of this amendment. Any fees due with this response may be charged to our Deposit Account No. 50-1314.

Respectfully submitted,
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Date: December 28, 2005

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FIG. 1

